



Dkt. 0575/62176/JPW/JML

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David M. Stern and Shi Du Yan  
U.S. Serial No.: 09/638,647  
Filed : August 14, 2000  
For : TRANSGENIC MICE OVER-EXPRESSING ABAD AND  
MUTANT APP IN BRAIN AS MODEL OF ALZHEIMER'S  
DISEASE AND USES THEREOF

1185 Avenue of the Americas  
New York, New York 10036  
November 3, 2000

Assistant Commissioner for Patents  
Washington, D.C. 20231

**ATTN: Box Missing Parts**

Sir:

**COMMUNICATION IN REPLY TO  
OCTOBER 4, 2000 NOTICE TO FILE MISSING  
PARTS OF APPLICATION UNDER 37 C.F.R. §1.53(b)**

This Communication is submitted in response to a Notice to File Missing Parts of Application under 37 C.F.R. §1.53(b) issued by the U.S. Patent and Trademark Office in connection with the above-identified patent application on October 4, 2000, a copy of which is enclosed herewith as **Exhibit A**. The surcharge for responding to the Notice to File Missing Parts of Application under 37 C.F.R. §1.53(b) is SIXTY FIVE DOLLARS (\$65.00) for a small entity. Applicants attach hereto as **Exhibit C** a signed Verified Statement Claiming Small Entity Status and maintain that small entity status is applicable. A check including \$65.00 is enclosed herewith. In accordance with the Notice, the deadline for submitting a response is December 4, 2000. Accordingly, this Communication is being timely filed.

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Applicants hereby submit an executed Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(d) and in compliance with 37 C.F.R. §1.63 (attached as **Exhibit B** hereto). The Declaration refers to the application's above-identified serial number and filing date.

**Sequence Listing**

The October 4, 2000 Notice indicates that the application fails to comply with the requirements under 37 C.F.R. §1.821-§1.825. The notice further specifies that applicant must provide a statement that the content of the paper and computer readable copies are the same and include no new matter.

In reply, applicants point out that a paper copy of the Sequence Listing, a computer readable form of the Sequence Listing and a Statement pursuant to 37 C.F.R. §1.821(f) were submitted to the Patent Office on August 14, 2000 with the filing of the subject application. A copy of the postcard receipt indicating that these items were submitted on August 14, 2000 is enclosed as **Exhibit D**. A copy of the Sequence Listing is attached as **Exhibit E**, and a copy of the Statement is attached as **Exhibit F**. Applicants also enclose another readable form (diskette).

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone at the number provided below.



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No fee, other than the enclosed \$65.00 surcharge fee, is deemed necessary in connection with the filing of this Communication. If any additional fees are required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

*Jane M. Love*

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

*Jane M. Love 11/3/00*  
\_\_\_\_\_  
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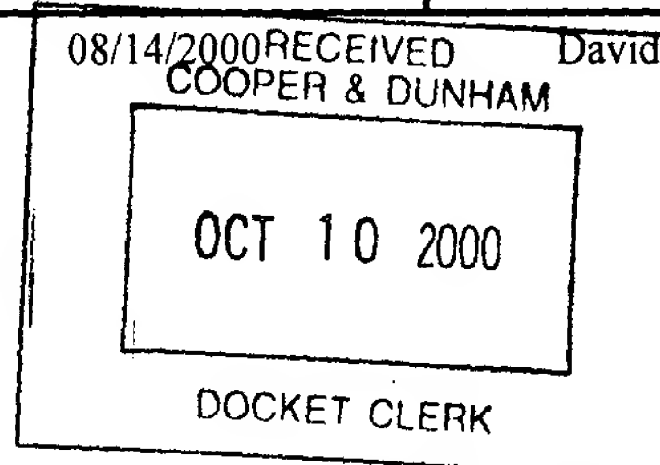


## UNITED STATES PATENT AND TRADEMARK OFFICE

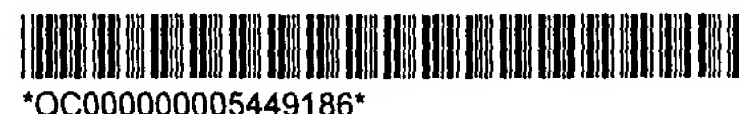
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/638,647	08/14/2000	David M. Stern	0575/62176/JPW/JML

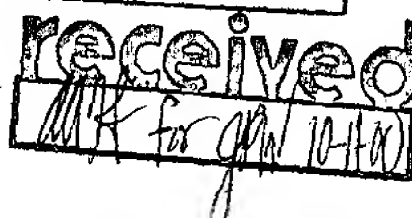
John P White  
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Cooper & Dunham LLP  
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New York, NY 10036



## FORMALITIES LETTER



\*OC000000005449186\*



Date Mailed: 10/04/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

11/09/2000 AWONDAF1 00000051 09638647

01 FC:205

65.00 0P

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):
  - This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
  - Applicant must provide:
    - A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-1123
- For CRF Submission Help, call (703) 308-4212
- PatentIn Software Program Support
  - - For Technical Assistance, call (703) 287-0200
  - - To Purchase PatentIn Software, call (703) 306-2600

- The balance due by applicant is \$ 130.

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*A copy of this notice MUST be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE